

1 dictate to another county that it must have an elective
2 school board. If education is retained as a general
3 application of general law provisions, that is exactly what
4 we are permitting. If education is removed from the section
5 on general application of laws, the subject of education will
6 have to be treated, as we have consistently held during this
7 Convention, as a statewide function. Local variations can be
8 permitted under the local options which allow the General
9 Assembly to empower a county to exercise any power or per-
10 form any function which has been denied to other counties.
11 Also, since education is one of the major departments of the
12 State, the provision of this section will authorize the
13 General Assembly to enact laws "providing for" or "regulating
14 the powers of departments or agencies of instrumentalities
15 of the State which perform a State and not a local function."

16 Would this not also provide sufficient leeway
17 for any variation in statewide application of laws? The
18 inclusion of education as an exception to the general
19 application of laws is a very substantive and far-reaching
20 change from previous actions of the Local Government
21 Committee and the Committee of the Whole. It was not in the